

REMARKS

Claims 154-337 are pending; claims 249-312 and 329-337 are withdrawn from consideration; and claims 154-248 and 313-328 are rejected in this application.

Responsive to the rejection of claims 154-243, 245-248, and 313-328 under 35 USC § 102(e) as being anticipated by US Patent Application Publication No. US 2005/0167061 (Scherb, et al.), Applicants respectfully submit an affidavit filed under 37 CFR § 1.132 indicating that the prior art reference is not an invention by another. Applicants submit, since the prior art reference was not an invention by another, that claims 154-243, 245-248, and 313-328 are now in condition for allowance, the allowance of which being hereby respectfully requested.

Responsive to the rejection of claims 154, 156-187, 189, 191-204, 207-216, 218-227, 230, 232, 245-248, 313, and 315-328 as a provisional rejection under 35 USC § 101 relative to claims 1-37, 39-69, 71, 72, and 82-100 of US Application No. 12/107505, Applicants submit that no action is taken at this time since this is a provisional rejection and the claims noted above in the copending application may be amended or otherwise altered so that there will be no conflicting claims between the two applications.

Responsive to the rejection of claims 154-164, 166-178, 182, 313, 314, and 324 on the grounds of nonstatutory obvious type double patenting over claims 1-16, 18-20, and 25 of US Patent No. 7,294,237, Applicants have filed a terminal disclaimer, thereby placing these claims in condition for allowance.

Responsive to the rejection of claims 154, 187, 189, and 313 on the grounds of nonstatutory obvious type double patenting over claims 1, 28, 32, and 56 of US Patent No. 7,510,631, Applicants have filed a terminal disclaimer, thereby placing these claims in condition for allowance.

Responsive to the rejection of claims 154, 187, 216, and 313 on the grounds of nonstatutory obvious type double patenting over claims 6, 24, 25, and 7 of US Patent No. 7,527,709, Applicants have filed a terminal disclaimer, thereby placing these claims in condition for allowance.

Responsive to the rejection of claims 154-174, 187-190, and 313-328 on the grounds of nonstatutory obvious type double patenting over claims 1-22 and 45-49 of copending Application No. 11/863938, Applicants have filed a terminal disclaimer, thereby placing these claims in condition for allowance.

Responsive to the rejection of claims 154-174, 187-190, and 313-328 on the grounds of nonstatutory obvious type double patenting over claims 231, 233-252, 254, 278, and 280-293 of copending Application serial No. 10/587869, Applicants have filed a terminal disclaimer, thereby placing these claims in condition for allowance.

For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorizes that any charges be made to Deposit Account No. 20-0095, TAYLOR IP, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,

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**Electronically filed August 20, 2010**

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